

SECTION 3. ADMINISTRATION

3.1 Town Board

The Town Board is the public body having exclusive authority to change or amend this Ordinance.

3.2 Building Inspector

(1) It shall be the duty of the Building Inspector to administer, supervise and literally enforce the provisions of the Town of Rock Building Code.

(2) The Building Inspector shall prepare building permit forms, assist any applicant in preparing any building permit application, advise the applicant as to the provisions of the Town Building Code, inspect each project for which a permit has been applied for or granted, report violations, and provide information to the Planning and Zoning Committee. The Building Inspector may issue Building Permits which are in strict compliance with the requirements of the Building Code and this Zoning Ordinance provided, however, that if a Zoning Permit is required, no Building Permit shall be issued by the Building Inspector until following the issuance of a Zoning Permit by the Zoning Officer. Whenever there is a question as to the literal requirements of the Building Code and/or this Ordinance, such question is to be brought by the Building Inspector directly to the Planning & Zoning Committee for its consideration.

3.3 Zoning Officer

(1) There is herewith created the office of Zoning Officer, which office may be a full-time or part-time position, as the Town Board in its discretion shall determine. The Zoning Officer shall be appointed by the Town Board and shall hold office until replaced by the Town Board. His/Her duties shall be to administer, supervise, and literally enforce the provisions of the Town Zoning Ordinance. His/Her compensation shall be determined by the Town Board. It also shall be the duty of the Zoning Officer to literally enforce the provisions of all other ordinances of the Town except for the Town of Rock Building Code.

(2) The duties of the Zoning Officer shall be to investigate all complaints, give notice of violations, and to enforce this Zoning Ordinance as well as all other ordinances of the Town except for the Town of Rock Building Code. The Zoning Officer may enter, at any reasonable time as permitted by the property owner, onto any public or private lands or waters to make inspection. If the Zoning Officer is refused entry, a special inspection warrant shall be issued for said premises pursuant to Sections 66.0119 of the Wisconsin Statutes. The Zoning Officer may set time limits and conditions for the correction of violations. The Zoning Officer's authorization to enforce the Zoning Ordinance may include, but not be limited to, the assessment of penalties pursuant to Section 2.4 and any civil enforcement action as outlined under Section 2.5 of the Zoning Ordinance.

(3) The Zoning Officer shall make monthly report of his/her activities to the Town Board.

(4) The Zoning Officer shall prepare zoning permit forms, assist the applicant as to the provisions of the Town Zoning Ordinance, inspect each project for which a permit has been applied for or granted, report violations, issue citations for violations of Town ordinances other than the Town of Rock Building Code, and provide any information to the Planning & Zoning Committee. The Zoning Officer may issue zoning permits which are in strict compliance with the requirements of this Ordinance. Whenever there is a question as to the literal requirements of this Ordinance, such question is to be brought directly to the Planning & Zoning Committee for its consideration.

3.4 Town Planning & Zoning Committee

There is hereby established a Planning & Zoning Committee for the Town.

3.5 How Constituted

The Planning & Zoning Committee shall consist of five (5) members appointed by the Town Board. Not more than one (1) member of the Town Board shall be a member of the Planning & Zoning Committee. If a member of the Town Board is appointed to the Planning and Zoning Committee, the Town Board shall appoint four (4) citizen members who upon creation of the committee shall be appointed for one (1), two (2) and two (2) members for three (3) year terms. If a Town Board member is not appointed a member of the Planning & Zoning Committee, a fifth citizen member shall be appointed for an initial term of two (2) years. The Town Chairperson shall appoint the committee's presiding officer. The Zoning Officer shall be an ex-officio member and shall attend all Planning & Zoning Committee meetings, but shall not be a voting member.

3.6 Terms of Office

The citizen members of the Planning & Zoning Committee shall serve for terms of three (3) years, except that the citizen members initially appointed to the Committee shall serve for terms of one (1), two (2), and three (3) years, respectively from the succeeding first day of May as set forth in 3.5 above. The term of a Town Board member shall be one (1) year. Following the initial appointments to the Planning & Zoning Committee, all appointments shall be made during April and all terms shall commence on the 1st day of May and expire on the 30th day of April.

3.7 Qualifications

All citizen members shall be residents of the Town of Rock, shall be persons with recognized experience and qualifications and shall hold office until their respective successors are selected and qualified. All members of the Planning & Zoning Committee shall be removable by the Town Board for cause, upon written charges and after public hearing.

3.8 Vacancies

Whenever a vacancy shall occur in the Planning & Zoning Committee, the Town Board shall select or appoint an appropriate member to complete the unexpired term.

3.9 Matters Referred to the Planning & Zoning Committee

(1) The Town Board or other public body having authority thereon, shall refer to the Planning & Zoning Committee, for its consideration and report before final action is taken by the Town Board or public body, the following matters: the location and architectural design of any public building; the location of any statue or other memorial; the location, acceptance, extension, alteration, vacation, abandonment, change of use, sale, acquisition, or lease of land for any street, alley or other public way, park, playground, airport, area for parking facilities, or other memorial or public grounds; the location, extension, abandonment or authorization for any public utility whether public or privately owned; all plats of land in the township; the location, character and extent, or acquisition, leasing or sale of lands for public or semi-public housing, slum clearance, relief of congestion, or vacation camps for children; and the abandonment or repeal of any ordinance adopted pursuant to planning and zoning. Unless such report is made within 45 days or such longer period as may be stipulated by the Town Board, the board or other public body may take final action without it.

(2) The Planning & Zoning Committee shall have the following powers:

(A) Building and Conditional Use Permits. To issue building permits when there is a question raised by the Building Inspector as to the literal requirements of this Ordinance and to issue conditional use permits when within the provisions of this Ordinance.

(B) Subdivisions. To review and recommend to the Town Board the approval or denial of preliminary and final subdivisions. Conditions of approval may be attached to preliminary or final approval.

(C) Substitutions. To hear and grant applications for substitution of more restrictive nonconforming uses for existing nonconforming uses, provided no structural alterations are to be made. Whenever the Committee permits such a substitution, the use may not thereafter be changed without the approval of the Committee.

(D) Unclassified Uses. To hear and grant applications for unclassified and unspecified uses, provided that such uses are similar in character to the principal uses permitted in the district and such uses are not conditional or other uses that require the approval of the Town Board.

(E) Temporary Uses. To hear and grant applications for temporary uses in any district, provided that such uses are of a temporary nature, do not involve the erection of a substantial structure, and are compatible with the neighboring uses. The permit shall be temporary, revocable, subject to any conditions required by the Planning & Zoning Committee and shall be issued for a period not to exceed twelve (12) months. Compliance with all other provisions of this Ordinance shall be required.

3.10 Meetings

Regular meetings shall be held monthly, as specifically determined by the Planning & Zoning Committee. Special meetings may be called by the presiding officer or upon written request of two committee members. Notice of special meeting shall be given by personal service to all members at least 24 hours prior to the called special meeting.

3.11 Minutes

The minutes of the Planning & Zoning Committee meetings shall be kept by the Secretary.

3.12 Quorum

Three (3) members of the Planning & Zoning Committee shall constitute a quorum to transact any business and formulate its proper action thereon.

3.13 Organization

The presiding officer of the Planning & Zoning Committee shall name the Secretary. The committee may also formulate any lawful rules for its operation and procedures.

3.14 Compensation

The members of the Planning & Zoning Committee shall be compensated as determined by the Town Board.